

United States Court of Appeals
FOR THE NINTH CIRCUIT

In the Matter of

THE BRIDGFORD COMPANY, a
Corporation, Bankrupt.

PAUL W. SAMPSELL, Trustee in Bankruptcy
for the Estate of The Bridgford Company, a
Corporation, Bankrupt,

Appellant,

vs.

HUGH H. BRIDGFORD,

Appellee.

APPELLEE'S BRIEF IN REPLY TO
BRIEF OF OREGON FARMER CREDITORS

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THE FACTS

Pursuant to permission of this Court, the Oregon Farmer Creditors have filed a Brief herein "as appellants". This brief requires answering by Appellee because it is predicated entirely upon a five-times repeated material mis-statement of fact.

The Oregon Farmer Creditors on whose behalf this brief was filed are farmers who produced, sold and delivered crops to The Bridgford Company during the crop season of 1948. Without citing any references to the record, this brief at two places on page 2 thereof and at three places on page 6 thereof recites that these 1948 crops were sold and delivered to the Court appointed managers of The Bridgford Company. This is not true. These 1948 crops were sold and delivered to The Bridgford Company during the period that the Company had possession of its assets and was operating its business completely free and clear of Court control. There was no Court appointed manager during the period these 1948 crops were sold by these farmers.

On February 26, 1948, the Court, by its order, approved the Plan of Arrangement and directed that The Bridgford Company "shall take over its business and assets and operate such business without Court control". (R. p. 26) At that time Mr. Harold H. Hadley was the Chairman of the Board of Directors and principal shareholder of the Company and, as such, he operated and controlled the Company continuously from February 26, 1948 to November 24, 1948, free and clear of any control by Appellee, the Court, or anybody else. (R. p. 197 and 198) These facts

cannot be controverted.

Respectfully submitted,

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